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15 UNITED STATES DISTRICT COURT
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17 NORTHERN DISTRICT OF CALIFORNIA
18
19 SAN JOSE DIVISION

20 UNITED STATES OF AMERICA,) NO. CR 07-00502 JW

21 Plaintiff,)

22 v.)

23 ROBERT VILLARREAL and)
24 STEVEN COTA,)
25 a/k/a "ROOSTER",)

26 Defendants.)

27 NO. CR 07-00506 RMW

28 UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

ROBERT VILLARREAL and)
DAVID RAY HERNANDEZ,)
a/k/a "SHAGGY",)

Defendants.)

UNITED STATES OF AMERICA.) NO. CR 07-00509 RMW

Plaintiff,)

v.)

ROBERT VILLARREAL,)

Defendant.)

UNITED STATES OF AMERICA,) NO. CR 07-00508 JW

Plaintiff,)

V.)

DAVID RAY HERNANDEZ,)

a/k/a "SHAGGY,") **NOTICE OF REL**

Defendant.)

**NOTICE OF RELATED CASES
IN A CRIMINAL ACTION**

The United States hereby files this notice of related cases pursuant to Criminal Local Rule 8-1, as believes that the cases above-captioned are related within the meaning of the rule. The first case, charging defendants ROBERT VILLARREAL and STEVEN COTA, a/k/a “ROOSTER” (NO. CR 07-00502 JW), was indicted on August 1, 2007 and, is pending before the Honorable James Ware. The remaining captioned cases were indicted on either August 1 or August 8, 2006, and are pending before Judges Ware and Whyte. Each case includes Roberto Villarreal as a charged defendant in a drug conspiracy or possession of a shotgun in a related case, except the final mater, U.S v. DAVID RAY HERNANDEZ, a/k/a “SHAGGY”, in which HERNANDEZ is charged alone. However, HERNANDEZ is a codefendant with VILLARREAL in another, related case. There is a chance that if the cases do not resolve expeditiously via plea, a superseding indictment may be filed charging one conspiracy with VILLARREAL at its hub. The first matter assigned a case number by the clerk (ROBERT VILLARREAL and STEVEN COTA, a/k/a “ROOSTER” (NO. CR 07-00502 JW)), is pending before Judge Ware and therefore, technically, the “earliest” filed matter. Thus, the rule suggests that all of the cases against ROBERTO VILLARREAL should be assigned to one judge, presumably Judge Ware, to include the lone case against DAVID RAY HERNANDEZ, a/k/a

1 "SHAGGY, who is a codefendant with VILLARREAL in another, related matter.

2 For the above reasons, while the government believes that assignment of the above-
3 captioned cases to a single District Judge would be likely to conserve judicial resources and to
4 promote an efficient determination of the action, it is unclear whether assignment, pursuant to
5 Local Rule 8.1, to the technically "earlier" assigned District Judge, Judge Ware, would
6 necessarily be most efficient, and leaves that determination to the Court.

7 DATED: September 5, 2007

8 Respectfully submitted,

9 SCOTT N. SCHOOLS
United States Attorney

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11 /S/
12 THOMAS M O'CONNELL
13 Assistant United States Attorney
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